REMARKS/ARGUMENTS

Status of the Claims

Claims 43 and 48 are amended to correct an error. Support for the amendments can be found in the specification as originally filed, e.g., in the definition of Formula II. Now pending are claims 1-6, 25-57 and 59-71. No new matter has been added.

In the Office Action, claims 1-6, 25-42 and 53-57 and 59 were indicated to be withdrawn, and claims 43-52 and 60-71 to be presently under examination.

Reconsideration of the application is requested.

Interview Summary

Applicants thank Examiner Claytor for her courtesy in allowing a telephonic interview with the undersigned representative on April 13, 2010 (the "Interview"). During the Interview, the pending claims and outstanding rejections were discussed. No final agreement was reached.

Rejection of claims under 35 USC §112, first paragraph

In the Office Action, claims 43-52 and 60-66 stand rejected under 35 U.S.C. §112, first paragraph, as allegedly lacking enablement. This rejection is traversed.

As an initial matter, Applicants note that claims 67-71 are currently under examination (see the Office Action at the "Office Action Summary" page), but no reason for rejection of claims 67-71 is given in the Office Action. Applicants respectfully request an indication that these claims are allowable with the next Office Action of Notice of Allowance.

As to claims 43-52 and 60-66, Applicants respectfully note that these claims, as pending, are directed to methods for inhibiting the development of tolerance to or dependence on an opioid narcotic analgesic in a patient. Claims 43 and 48, and the claims dependent therefrom, recite, *inter alia*, the administration to the patient of a compound of Formula II as described in the claims.

Applicants note with appreciation the Examiner's indication that the present specification is enabling for methods including the compounds (6-trifluoromethyl-pyridin-3-yl)-[7-(3-trifluoromethyl-pyridin-2-yl)-quinazolin-4-yl]-amine and [2-methyl-7-(3-trifluoromethyl-pyridin-2-yl)-quinazolin-4-yl]-(5-trifluoromethyl-pyridin-2-yl)-amine. However, Applicants cannot agree with the statement (in the Office Action at page 2) that "[the specification] does not reasonably provide enablement for using all of the various compounds of Formula II to inhibit the development of tolerance to an opioid narcotic analgesic."

As noted in the present application, the compounds (6-trifluoromethyl-pyridin-3-yl)-[7-(3-trifluoromethyl-pyridin-2-yl)-quinazolin-4-yl]-amine and [2-methyl-7-(3-trifluoromethyl-pyridin-2-yl)-quinazolin-4-yl]-(5-trifluoromethyl-pyridin-2-yl)-amine are VR1 antagonists and are useful for inhibiting the development of tolerance to morphine (see, e.g., Example 12) . The present specification also discloses that other VR1 antagonists of Formula II are useful in the claimed methods. For example, Example 12 discloses that the compound [2-(2,6-dimethyl-morpholin-4-ylmethyl)-7-(3-trifluoromethyl-pyridin-2-yl)-pyrido[3,2-d]pyrimidin-4-yl]-(4-trifluoromethyl-phenyl)-amine (cis), described in Example 12 as a VR1 antagonist, is also useful to inhibit the development of tolerance to repeated morphine dosing.

Applicants respectfully contend that the present specification provides ample evidence, with at least three working examples of a compound of Formula II, to show that VR1 antagonists are useful in the claimed methods.

Still further, Applicants point out that compounds of Formula II have been described as being VR1 antagonists. See, for example, co-owned PCT International Application Publication Number WO 03/062209 and corresponding U.S. Patent No. 7,074,799. In U.S. Patent No. 7,074,799, a variety of compounds within the scope of Formula II of the present claims are disclosed; the '799 Patent further states that the compounds disclosed therein generally exhibit K_i values for capsaicin receptor of less than 4 μM in an assay of capsaicin receptor binding that may be used to determine the binding affinity of compounds for the capsaicin (VR1) receptor (see Example 5 of the '799 Patent). Additional compounds generally within the scope of Formula II have been

shown to be VR1 inhibitors; see, e.g., co-owned U.S. Patent Application No. 10/735,607 (disclosing certain compounds within instant Formulae II and III); and co-owned U.S. Patent No. 7,488,740 (disclosing certain compounds within instant Formula II; see, e.g., Example 3 and Table I of U.S. Patent No. 7,488,740).

In view of the VR1 antagonist activity of compounds of Formula II as discussed above, and the disclosure in the present specification that VR1 antagonists are useful in the presently-claimed methods, Applicants contend that one of ordinary skill in the art could use the presently-claimed methods without undue experimentation.

Applicants respectfully contend that the present specification provides ample enablement for the methods of the pending claims. Reconsideration and withdrawal of the rejection is proper and the same is requested.

Supplemental Information Disclosure Statement

The Examiner's attention is directed to the Supplemental Information Disclosure Statement (IDS) filed with this paper. Applicants request that the Examiner consider the references cited and return an initialed copy of the IDS to Applicants with the next Office Action or Notice of Allowance.

CONCLUSION

For at least the foregoing reasons, Applicants contend that the rejections of record should be withdrawn, and that the present application is in condition for allowance. Early and favorable consideration of the application is earnestly solicited.

Applicants conditionally petition for any extension of time required for consideration of this paper. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 60004 (72021).

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Respectfully submitted,

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